



Local Government (Miscellaneous Provisions) Act 1982

1982 CHAPTER 30

PART XI

PUBLIC HEALTH, ETC.

30 Buildings on operational land of British Railways Board and certain statutory undertakers.

- (1) This section applies to operational land—
 - (a) of the British Railways Board (in this section referred to as “the Board”); . . . ^{F1}
 - (b) ^{F1}
- (2) Subject to subsection (4) below, before undertaking any works under section 29(2) above on land to which this section applies a local authority shall serve notice that they propose to undertake works under that section in connection with the building—
 - (a) on the Board, if the works which they propose to undertake will be undertaken on operational land of the Board; and
 - (b) in any other case, on the statutory undertakers on whose operational land the works will be undertaken.
- (3) A notice under subsection (2) above shall specify the works which the local authority propose to undertake.
- (4) A local authority need not give any such notice where they consider that it is necessary to undertake works immediately in order to secure a building against unauthorised entry or to prevent it from becoming a danger to public health.
- (5) A local authority shall not undertake works specified in a notice under subsection (2) above before the expiry of the period of 48 hours from the service of the notice on the Board or the statutory undertakers.
- (6) In carrying out any works under section 29(2) above on land to which this section applies a local authority shall comply with any reasonable requirement which the

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Section 30. (See end of Document for details)

Board or, as the case may be, the statutory undertakers may impose for the protection or safety of their undertaking.

(7) In this section “operational land” means, in relation to the Board or the statutory undertakers—

- (a) land which is used for the purpose of carrying on their undertaking; and
- (b) land in which an interest is held for that purpose,

not being land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or in which interests are held, for the purpose of carrying on such undertakings.

Textual Amendments

- F1** S. 30(1)(b) and the word “or” immediately preceding it repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(3)(4), Sch. 17 paras. 33, 35(1), **Sch. 18**

Modifications etc. (not altering text)

- C1** S. 30 extended by Gas Act 1986 (c. 44, SIF 44:2), s. 67(1), **Sch. 7 para. 2(1)(xliv)** and by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1)(3), Sch. 16 para. 1(1)(xxxvi), Sch. 17 paras 33, **35(1)**
- C2** S. 30 extended by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 1(2)(xxix), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- C3** S. 30 extended (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 2(1)(xxxiii)**; S.I. 1996/218, **art. 2**

Changes to legislation:

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